

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (E 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs.	Application 00-11-038 (Filed November 16, 2000)
Emergency Application of Pacific Gas and Electric Company (U 39 E) to Adopt a Rate Stabilization Plan.	Application 00-11-056 (Filed November 22, 2000)
Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527.	Application 00-10-028 (Filed October 17, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING
SHORTENING TIME TO RESPOND TO PG&E'S APPLICATION
FOR REHEARING OF D.01-09-015**

Decision (D.) 01-09-015 was adopted by the Commission at the September 6, 2001 meeting, and mailed to the parties on September 10, 2001. The decision construed, applied, implemented and interpreted certain provisions of Assembly Bill 1 of the Legislature's First Extraordinary Session of 2001-2002 (Stats. 2001, Ch. 4) (AB1X).

Senate Bill 31 of the First Extraordinary Session of 2001-2002 (Stats. 2001, Ch. 9) (SB31X) amended Public Utilities Code §1731, and added Public Utilities Code §1768. Section 1731(c) requires that as a prerequisite for filing a cause of action "in any court," an application for rehearing of a Commission decision construing, applying, or implementing the provisions of AB1X must be filed

within 10 days after the date of issuance of the decision. That subdivision also requires the Commission to “issue its decision and order on rehearing within 20 days after the filing of that application.” The Commission specifically noted the applicability of SB31X at page 18 of D.01-09-015.¹ Pacific Gas and Electric Company (PG&E) filed a timely application for rehearing of D.01-09-015 on September 20, 2001.

Since the Commission is required to “issue its decision and order on rehearing within 20 days after the filing” of the application for rehearing, the time for filing any response to PG&E’s application for rehearing must be shortened. Although the Commission is not obligated to withhold a decision on an application for rehearing to allow time for a response to be filed,² the time for filing a response to PG&E’s application for rehearing shall be shortened to October 1, 2001. Accordingly, any party planning to file a response to PG&E’s application for rehearing shall file and serve the response on or before October 1, 2001. Any response shall be served by electronic mail on those parties who have provided an e-mail address, and by first class mail or other expeditious mode of delivery to those who have not provided an e-mail address. In addition, any responses shall also be electronically served on the following Commission staff: Geoffrey Dryvynsyde (gbd@cpuc.ca.gov) and Mary McKenzie (mfm@cpuc.ca.gov).

¹ SB31X was mistakenly cited in D.01-09-015 as “AB31X.”

² See Rule 86.2 of the Commission’s Rules of Practice and Procedure.

Therefore, **IT IS RULED** that the time for filing a response to PG&E's application for rehearing of D.01-09-015 shall be shortened. Any party filing a response to PG&E's application for rehearing shall file the response on or before October 1, 2001, and shall serve the response in the manner specified above.

Dated September 21, 2001, at San Francisco, California.

/s/ JOHN S. WONG

John S. Wong
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Shortening Time to Respond to PG&E's Application for Rehearing of D.01-09-015 on all parties of record in this proceeding or their attorneys of record.

Dated September 21, 2001, at San Francisco, California.

/s/ ERLINDA PULMANO
Erlinda Pulmano

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

